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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO

REGAN CARROLL TRUST, Regan)	ACTION NO: 07-CV-02577 SBA
Carroll, trustee,)	
)	
Plaintiff,)	PLAINTIFF REGAN CARROLL
)	TRUST'S CASE MANAGEMENT
v.)	STATEMENT, REQUEST TO
)	VACATE CASE MANAGEMENT
CITY AND COUNTY OF SAN)	CONFERENCE DATE AND OTHER
FRANCISCO, SAN FRANCISCO)	DATES SET FORTH IN ORDER
DEPARTMENT OF BUILDING)	SETTING INITIAL CASE
INSPECTION, SAN FRANCISCO)	MANAGEMENT, AND REQUEST
BUILDING INSPECTION)	TO SET NEW DATES
COMMISSION, SAN FRANCISCO)	
PLANNING DEPARTMENT,)	Date: September 12, 2007
SAN FRANCISCO BOARD OF)	Time: 3:30 p.m.
APPEALS,)	Judge: Hon. Sandra Brown
)	Armstrong
Defendants.)	

Plaintiff Regan Carroll Trust, Regan Carroll, trustee, submits the following
 Case Management Statement.

JURISDICTION AND SERVICE

On May 15, 2007, Plaintiff filed its Complaint for Injunctive Relief and
 Damages for Violation of Civil Rights. This Court has jurisdiction over this action

1 pursuant to 28 U.S.C. § 1331, in that the controversy arises under the United States
2 Constitution and under 42 U.S.C. § 1983. Venue is proper pursuant to 28 U.S.C. §
3 1391(a) in that all Defendants reside in this judicial district and the events giving rise
4 to the claims occurred in this district.

5
6 On September 5, 2007, Plaintiff served the Complaint on all Defendants.
7 Given that Defendants were recently served with the Complaint, Plaintiff respectfully
8 requests the court vacate the Case Management Conference and all other dates set in
9 the Order Setting Initial Case Management Conference. Plaintiff further requests
10 that new dates be scheduled to provide Defendants adequate time to respond to the
11 Complaint.
12

13 **FACTS and LEGAL ISSUES**

14 This case arises out of the Defendants unlawful delegation of land use and
15 decision-making to a private, powerful and influential neighborhood group. As a
16 result of this unlawful delegation of power, Plaintiff was, among other things,
17 deprived of the Equal Protection of law in violation of the Fourteenth Amendment of
18 the United States Constitution.
19

20 **MOTIONS**

21 Unknown at this time.
22

23 **AMENDMENT OF PLEADINGS**

24 Unknown at this time.

25 **EVIDENCE PRESERVATION**

26 Plaintiff has preserved all evidence.
27
28

1 DISCLOSURES

2 Plaintiff has not made the initial disclosures.

3 DISCOVERY

4 No discovery to date. It is anticipated written discovery and depositions will
5 be taken once Defendants have responded to the Complaint.

6 RELATED CASES

7 Two related cases are pending in San Francisco County Superior Court: (1)
8 *Regan Carroll Trust v. City and County of San Francisco, et al.*, Case No. CGC 07-
9 463565; and (2) *Trust of Regan Carroll v. City and County of San Francisco, et al.*,
10 Case No. CPF-06-506816. On August 14, 2007, the Honorable Judge Mahoney
11 ordered these cases consolidated for purposes of trial. A trial date has not been set.

12 RELIEF

13 Plaintiff seeks an injunction and an award of monetary damages.

14 SETTLEMENT AND ADR

15 Unknown at this time.

16 CONSENT TO MAGISTRATE JUDGE FOR ALL PURPOSE

17 Plaintiff will not consent to a magistrate judge. This case was originally
18 assigned to a magistrate judge. On May 16, 2007, Plaintiff filed a Declination to
19 Proceed Before a Magistrate Judge and a Request for Reassignment to a United
20 States District Judge.

21 OTHER REFERENCES

22 None.

23

1 NARROWING OF ISSUES

2 Plaintiff believes the issues are narrowly tailored.

3 EXPEDITED SCHEDULE

4 Unknown at this time, but Plaintiff is amenable to expediting this matter.

5 SCHEDULING

6
7 Once Defendants have responded to the Complaint, the parties can discuss
8 scheduling.

9 TRIAL

10 Plaintiff requests a jury trial and anticipates a 2-3 day trial.

11 DISCLOSURE OF NON-PARTY INTERESTED ENTITIES OR PERSONS

12
13 Plaintiff is filing a Certification of Interested Parties or Entities as a separate
14 pleading in conjunction with its Case Management Conference Statement.

15
16
17 Date: September 6, 2007

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20 By: 

Andrea Rosenthal
Attorneys for Plaintiff

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27 Case Management Statement 9.6.07